

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

DR 1998-005537

03/06/2003

HONORABLE ROBERT C. HOUSER

CLERK OF THE COURT
J. Escarcega
Deputy

IN RE THE MATTER OF
LESLIE HOWARD BROWN

FILED: 03/17/2003

LESLIE HOWARD BROWN
1904 E JARVIS AVE
MESA AZ 85204

AND

MELISSA ANN BROWN

MELISSA ANN BROWN
10202 N 32ND LN #149
PHOENIX AZ 85051-0000

MINUTE ENTRY

10:12 a.m. This is the time set for an Emergency Hearing on Petitioners' Motion regarding Modification of Child Custody. Petitioner is represented by counsel Robert Green. Respondent is present on her own behalf.

A recording of this proceeding is made by CD recording utilizing "For The Record" (FTR) in lieu of a court reporter.

Petitioner and Respondent are sworn and testify.

Arguments are heard on the Petitioner's Motion.

Mother requests protection of minor child Rachel Brown (d.o.b. 6/26/94) from stepbrother Jacob.

The Court addresses David Strebe, Grandparent of Jacob, stepbrother of Rachel.

10:30 a.m. The Court is in recess.

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10:36 a.m. Court reconvenes with respective counsel and parties present.

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The Court has considered the testimony presented by the parties in connection with the Petition for Emergency Modification of Child Custody. The Court is not going to modify child custody on an emergency basis. The Court will consider a temporary modification of parenting time until the situation resolves.

Given Father's willingness to compromise with respect to parenting time, in regards to the circumstances surrounding the situation at his home when Rachel is in his care and Mother's concerns about the contact between Jacob and Rachel.

IT IS ORDERED, on a temporary basis, that during those periods that Rachel is in the care and custody of Father, Jacob shall not be in contact with Rachel. Jacob will stay with his grandfather during those periods, which will be at Father's discretion.

IT IS FURTHER ORDERED that the parties shall provide counseling for all three children. The parties shall notify the Court of the name of the counselor. The counselor shall be prepared to submit a report to the Court at the Evidentiary Hearing the Court will set in this matter.

IT IS FURTHER ORDERED appointing a Guardian Ad Litem to investigate the allegations that are being made and to report to the Court regarding those matters as appropriate. The Court will set forth in a more detailed separate minute entry the identity and the powers of the Guardian Ad Litem.

IT IS FURTHER ORDERED appointing a Family Court Advisor in order to assist the parties in settling disputed matters, as set forth in a separate minute entry.

IT IS FURTHER ORDERED setting a Status Conference for **March 26, 2003 at 11:45 a.m.** in this division. The issues will be the status of the Child Protective Services and police department investigations. The Court shall possibly adjust the orders entered this date regarding contact between Jacob and Rachel during Rachel's time with Father, depending on the results of the status conference.

IT IS FURTHER ORDERED setting an Evidentiary Hearing for **May 19, 2003 at 9:00 a.m.** The Court will allow forty-five minutes for the presentation of any evidence that the parties wish to present with respect to the issues raised by the Petition for a Change of Custody.

IT IS FURTHER ORDERED that Mother shall not perform the counseling ordered. The Court requires a third party counselor.

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The Petitioner requests the Court to appoint a counselor.

IT IS ORDERED that the parties shall have one week from this date, or to **March 13, 2003** to agree upon a counselor. If no agreement is made, the Court shall be contacted by telephone and an appointment will be made off the approved Mental Health Professional list that the Court utilizes.

10:53 a.m. Matter concludes.